

24 NCAC 06A .0307 PRACTICE BEFORE THE COMMISSION

(a) Any attorney representing a Responsible Party in a Disciplinary Hearing shall notify the Commission's attorney in writing of such representation immediately after being retained by the party. Such notice shall constitute an appearance on behalf of the party as an attorney of record in the matter.

(b) Each attorney practicing law in a Disciplinary Hearing shall promptly file with the hearing officer a notice of appearance in each particular matter and on behalf of each client represented and may be required to file evidence of the attorney's authority to act in such capacity. The address of each attorney, telephone number, and e-mail address shall be stated.

(c) In accordance with Rules of the North Carolina State Bar which govern the practice of law in North Carolina, an out-of-state attorney-at-law shall be associated with a North Carolina attorney-at-law in order to represent a Responsible Party in a Disciplinary Hearing. Out-of-state attorneys shall also comply with G.S. 84-4.1, pay a fee, register with the North Carolina State Bar through their in-state counsel, and comply with other applicable State law.

(d) When any matter is scheduled before the Commission, the Sports Betting Committee, or a hearing officer, the attorney shall, consistent with ethical requirements, appear or have a partner, associate, or another attorney familiar with the case appear. Unless an attorney has been excused in advance by the hearing officer, the Chair of the Sports Betting Committee, the Chair of the Commission, or their designee, an attorney's failure to appear may not be grounds for continuance.

(e) Motion to Withdraw as Attorney of Record. – An attorney retained to represent a client in a proceeding shall not withdraw from such representation without first filing a motion to withdraw and having the Commission, the Sports Betting Committee, or hearing officer approve such withdrawal. Motions to withdraw shall include a certificate of service showing service on and approval of the client from whom representation is being withdrawn.

*History Note: Authority G.S. 18C-114(a)(14);
Previously adopted as Rule 1C-007;
Eff. January 8, 2024;
Readopted Eff. March 27, 2024.*